

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. ) 2:11-CR-064-APG-(CWH)  
DAVID DAMANTE, )  
Defendant. )

## **FINAL ORDER OF FORFEITURE**

On November 27, 2013, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); and Title 18, United States Code, Section 982(a)(2)(A) based upon the plea of guilty by defendant DAVID DAMANTE to the criminal offenses, forfeiting the property set forth in the Plea Agreement and the Forfeiture Allegations of the Second Superseding Criminal Indictment and shown by the United States to have the requisite nexus to the offenses to which defendant DAVID DAMANTE pled guilty. Second Superseding Indictment, ECF No. 192; Change of Plea, ECF No. 239; Plea Agreement, ECF No. 240; Preliminary Order of Forfeiture, ECF No. 241.

This Court finds the United States of America published the notice of forfeiture in accordance with the law via the official government internet forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), consecutively from December 6, 2013, through January 4, 2014, notifying all potential third parties and notified known third parties by personal service or by regular mail and certified mail return receipt requested,

1 of their right to petition the Court. Notice of Filing Proof of Publication, ECF No. 242; Notice of  
2 Filing Service of Process – Mailing, ECF No. 257; Notice of Filing Service of Process, ECF No. 258.

3 On February 18, 2014, Lea Denee Angelos c/o Jean Angelos, was served by regular and  
4 certified return receipt mail with the Preliminary Order of Forfeiture and the Notice. Notice of Filing  
5 Service of Process – Mailing, ECF No. 257, p. 3-5 and 28-33.

6 On February 18, 2014, Christine Angelos c/o Jean Angelos, was served by regular and certified  
7 return receipt mail with the Preliminary Order of Forfeiture and the Notice. Notice of Filing Service of  
8 Process – Mailing, ECF No. 257, p. 6-8 and 28-33.

9 On February 18, 2014, Toshiharu Kokubun c/o Attorney Andrew Daisuke Stewart, was served  
10 by regular and certified return receipt mail with the Preliminary Order of Forfeiture and the Notice.  
11 Notice of Filing Service of Process – Mailing, ECF No. 257, p. 9-11 and 28-33.

12 On February 18, 2014, Kuniyuki Hirota c/o Attorney Andrew Daisuke Stewart, was served by  
13 regular and certified return receipt mail with the Preliminary Order of Forfeiture and the Notice  
14 Notice of Filing Service of Process – Mailing, ECF No. 257, p. 12-14 and 28-33.

15 On March 6, 2014, Lea Damante, Statutory Agent and Member for Rockinbod LLC, was  
16 served by regular and certified return receipt mail with the Preliminary Order of Forfeiture and the  
17 Notice. Notice of Filing Service of Process – Mailing, ECF No. 257, p. 15-33.

18 On February 19, 2014, Doug Johnson was personally served with the Preliminary Order of  
19 Forfeiture and the Notice. Notice of Filing Service of Process, ECF No. 258, p. 2-8.

20 On February 21, 2014, Toshiharu Kokubun was personally served, by and through Attorney  
21 Eric Olsen, with the Preliminary Order of Forfeiture and the Notice. Notice of Filing Service of  
22 Process, ECF No. 258, p. 9-15.

23 On February 21, 2014, Kuniyuki Hirota was personally served, by and through Attorney Eric  
24 Olsen, with the Preliminary Order of Forfeiture and the Notice. Notice of Filing Service of Process,  
25 ECF No. 258, p. 16-22.

26 . . .

This Court finds no petition was filed herein by or on behalf of any person or entity and the time for filing such petitions and claims has expired.

This Court finds no petitions are pending with regard to the assets named herein and the time for presenting such petitions has expired.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right, title, and interest in the property hereinafter described is condemned, forfeited, and vested in the United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section 982(a)(2)(A); and Title 21, United States Code, Section 853(n)(7) and shall be disposed of according to law:

1. a 2006 Ferrari F430F1, VIN: ZFFEW58A360149771;
2. a 2009 Mercedes Benz SL550, VIN: WDBSK71F39F142690;
3. a 2009 Honda Pilot, VIN: 5FNYF485X9B050010;
4. a 2008 Supra Sunsport, hull/serial number ISRSF031A808;
5. a 2008 Boat-Mate trailer, VIN: 5A7BB242X8T002509;
6. any and all funds contained in Bank of America Account in the name of Lea Damante, Account Number XXXXXXXX1633;
7. any and all funds contained in Bank of America in the name of Lea Damante, Account Number XXXXXXXX3340; and
8. an *in personam* criminal forfeiture money judgment of \$375,000.00 in United States Currency.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well as any income derived as a result of the United States of America's management of any property forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

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The Clerk is hereby directed to send copies of this Order to all counsel of record and three certified copies to the United States Attorney's Office.

Dated: April 21, 2014.

  
UNITED STATES DISTRICT JUDGE